BEFORE THE APPEALS BOARD FOR THE KANSAS DIVISION OF WORKERS COMPENSATION

MARILYN R. COOK Claimant	
VS.))) Docket No. 211,841
THE BOEING COMPANY) DOCKET NO. 211,041
Respondent AND	
AMERICAN MANUFACTURERS MUTUAL INSURANCE COMPANY Insurance Carrier	

ORDER

The respondent and its insurance carrier requested review of the preliminary hearing Order entered by Special Administrative Law Judge Michael Harris dated May 17, 1996.

ISSUES

The Special Administrative Law Judge granted claimant's request for benefits. The respondent and its insurance carrier requested review of the issue whether claimant's alleged neck injury arose out of and in the course of her employment with the respondent. That is the only issue on this review.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

After reviewing the entire record, for purposes of preliminary hearing the Appeals Board finds:

The preliminary hearing Order entered by the Special Administrative Law Judge should be affirmed.

The Appeals Board finds that claimant has sustained her burden for preliminary hearing purposes that she injured her neck while working for the respondent on June 20, 1994, and that her present need for medical treatment is related to that incident. Claimant's allegations are supported by both her testimony and the medical records of Drs. Lesko and Abay.

Claimant testified that on June 20, 1994 her left arm began tingling and burning after moving a tub of parts. Claimant immediately reported her symptoms to her supervisor and sought medical treatment at a local emergency room. In addition, claimant presented numerous documents signed by Dr. Lesko indicating that claimant's neck injury was caused by an incident at work. Although she saw Dr. Abay at a much later date, his history also relates claimant's neck injury to an incident at work.

WHEREFORE, it is the finding, decision, and order of the Appeals Board that the preliminary hearing Order entered by Special Administrative Law Judge Michael Harris dated May 17, 1996, should be, and hereby is, affirmed.

IT	IS	SO	ORDERED).

Dated this ____ day of July 1996.

BOARD MEMBER

c: Kelly Johnston, Wichita, KS
Eric K. Kuhn, Wichita, KS
Shannon S. Krysl, Administrative Law Judge
Philip S. Harness, Director